

SIXTY-SECOND DAY - APRIL 14, 2005**LEGISLATIVE JOURNAL****NINETY-NINTH LEGISLATURE
FIRST SESSION****SIXTY-SECOND DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, April 14, 2005

PRAYER

The prayer was offered by Pastor Evie Johnson, United Methodist Churches of Tecumseh and Sterling.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Bourne, Brashear, Burling, Byars, Erdman, Hudkins, Dw. Pedersen, and Preister who were excused; and Senators Brown, Landis, and Thompson who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixty-first day was approved.

REPORTS

The following reports were received by the Legislature:

Health and Human Services System

Office of the System Advocate Quarterly Report, January-March 2005

Investment Council

2004 Annual Report

Public Counsel/Ombudsman

Thirty-third Annual Report

Roads, Department of

Board of Public Roads Classifications and Standards Minutes for February 2005

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of April 13, 2005, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Kohler, Mike
Cox Nebraska Telcom, LLC (Withdrawn 04/12/2005)

Lightner, James
Public Employees, AFSCME Local 61, Nebraska Association of
(Withdrawn 04/13/2005)

Smith, Milford L.
Smith Consulting Service (Withdrawn 04/12/2005)

Smith, Milford L.
Education Equity and Adequacy, Nebraska Coalition of

MOTION - Approve Appointment

Senator Raikes moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 1172:

Coordinating Commission for Postsecondary Education
Joyce Simmons

Voting in the affirmative, 30:

Aguilar	Cudaback	Howard	Louden	Raikes
Baker	Cunningham	Janssen	McDonald	Schimek
Chambers	Engel	Johnson	Mines	Stuhr
Combs	Fischer	Kopplin	Pahls	Stuthman
Connealy	Flood	Kremer	Pederson, D.	Synowiecki
Cornett	Heidemann	Langemeier	Price	Wehrbein

Voting in the negative, 0.

Present and not voting, 7:

Beutler	Jensen	Redfield	Smith
Foley	Kruse	Schrock	

Excused and not voting, 12:

Bourne	Burling	Friend	Pedersen, Dw.
Brashear	Byars	Hudkins	Preister
Brown	Erdman	Landis	Thompson

The appointment was confirmed with 30 ayes, 0 nays, 7 present and not voting, and 12 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 673. Senator Chambers renewed his pending amendment, FA163, found on page 1177 and considered on page 1195, to the Standing Committee amendment.

Senator Chambers moved for a call of the house. The motion prevailed with 10 ayes, 0 nays, and 39 not voting.

The Chambers amendment lost with 1 aye, 19 nays, 16 present and not voting, and 13 excused and not voting.

The Chair declared the call raised.

Pending.

AMENDMENT - Print in Journal

Senator Chambers filed the following amendment to LB 548:
AM1205

(Amendments to E & R amendments, AM7085)

- 1 1. On page 4, strike lines 25 and 26, and insert the
- 2 following new subsection:
- 3 "(5) The University of Nebraska and postsecondary
- 4 educational institutions having colleges of medicine in Nebraska
- 5 and their affiliated research hospitals in Nebraska, as a condition
- 6 of receiving any funds appropriated or transferred from the
- 7 Nebraska Health Care Cash Fund, shall not discriminate against any
- 8 person on the basis of sexual orientation.".

RESOLUTION

LEGISLATIVE RESOLUTION 77. Introduced by Mines, 18.

WHEREAS, for more than a century, independent community banks in Nebraska have served as the heartbeat of their community and have established a tradition of true community involvement, continually reinvesting deposits in the communities they serve in the form of commercial, agricultural, real estate, and consumer loans; and

WHEREAS, independent community banks play a significant role in local economic development efforts, stimulating the economy to produce jobs and new opportunities and as a group provide an important and strong part of the

state's economic fabric; and

WHEREAS, personal service, trust, and outstanding product offerings are the specialties of independent community banks in their customer relationships, making independent community banks effective in a continually changing financial service marketplace; and

WHEREAS, the tradition of independent community banking in Nebraska is one of hometown people coming together to help their towns grow and of neighbors helping neighbors and friends succeed; and

WHEREAS, Nebraska independent community banks are strong economic supporters of the state; and

WHEREAS, it is important to create a greater public awareness and understanding of the vital role independent community banks have played in the economy of our state and the vital role they will play in our future.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature designates April as Community Banking Month.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 673. Senator Chambers offered the following motion:

Reconsider the vote taken on FA163.

The Chambers motion to reconsider failed with 3 ayes, 9 nays, 21 present and not voting, and 16 excused and not voting.

Senator Chambers renewed his pending amendment, FA164, found on page 1195, to the Standing Committee amendment.

Senator Chambers moved for a call of the house. The motion prevailed with 9 ayes, 0 nays, and 40 not voting.

The Chambers amendment lost with 1 aye, 15 nays, 19 present and not voting, and 14 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

Reconsider the vote just taken on FA164.

SENATOR ENGEL PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with 10 ayes, 0 nays, and 39 not voting.

The Chambers motion to reconsider failed with 3 ayes, 20 nays, 10 present and not voting, and 16 excused and not voting.

The Chair declared the call raised.

Senator Chambers renewed his pending amendment, FA165, found on page 1195, to the Standing Committee amendment.

Pending.

AMENDMENT - Print in Journal

Senator Chambers filed the following amendment to LB 673:

FA166

Amend AM0867

On page 3 after line 6 insert "(6) Eradication shall be a last resort as a management option."

VISITORS

Visitors to the Chamber were 12 fourth-grade students and teacher from St. Josephs Elementary School, York; 40 fourth-grade students and teachers from Washington Elementary School, Omaha; 21 fourth-grade students and teachers from Arapahoe; and 9 seventh- and eighth-grade students from Golden Plains Christians School, Madrid.

The Doctor of the Day was Dr. Lisa Rauner from Lincoln.

MOTION - Adjournment

Senator Flood moved to adjourn. The motion prevailed with 10 ayes, 4 nays, 17 present and not voting, and 18 excused and not voting, and at 12:01 p.m., the Legislature adjourned until 10:00 a.m., Tuesday, April 19, 2005.

Patrick J. O'Donnell
Clerk of the Legislature

